



26 FEB 2007

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In re Application of  
FONFARA, et al.  
Application No.: 10/566,797  
PCT No.: PCT/DE04/01361  
Int. Filing Date: 28 June 2004  
Priority Date: 30 July 2003

Attorney Docket No.: 1298.1000

For: COOLING DEVICE FOR AN ELECTRONIC  
COMPONENT, ESPECIALLY FOR A MICRO-  
PROCESSOR

COMMUNICATION

This application is before the Office of PCT Legal Administration for issues arising under 35 U.S.C. 371.

### **BACKGROUND**

On 28 June 2004, applicant filed international application PCT/DE04/01361, which claimed priority of an earlier application filed 30 July 2003. A copy of the international application was communicated to the USPTO from the international bureau on 17 February 2005. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 30 January 2006.

On 31 January 2006, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an English translation of the international application, an Information Disclosure Statement and a preliminary amendment.

On 23 October 2006 applicant was mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) informing applicant of the need to provide an executed oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. Applicant was given two months to respond and advised that this time period could be extended with a proper petition and payment of fees.

On 21 November 2006, applicant filed a response including the executed combined declaration and power of attorney discussed herein.

**DISCUSSION**

The filed declaration is not compliant with 37 CFR 1.497 in that it contains untranslated text in that an English translation of the title does not appear on the declaration. (See 37 CFR 1.69 and MPEP 602.06). As such, the 21 November 2006 is considered a defective response to the Form PCT/DO/EO/905 mailed 23 October 2006.

**CONCLUSION**

Applicant is hereby afforded **ONE (1) MONTH** from the mail date of this communication or the amount of extendable time running from the mail date of the Form PCT/DO/EO/905 mailed 23 October 2006 to file a compliant, executed oath or declaration of the inventors.

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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